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Application No. 90/005,744
Attorney Docket No. 033462-001
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Tony PERVAN)

Application No.: 90/005,744)

Filed: June 30, 1999)

For: METHOD FOR JOINING BUILDING)
BOARD)

Group Art Unit: 3635

Examiner: Y. Horton

Confirmation No.: 8787

AND

In re Patent Application of)

Tony PERVAN)

Application No.: 09/343,696)

Filed: June 30, 1999)

For: METHOD FOR JOINING BUILDING)
BOARD)

Group Art Unit: 3635

Examiner: Y. Horton

Confirmation No.: 8240

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith an updated status on litigation relevant to the above proceedings. Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the

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undersigned respectfully requests that he be contacted at the number indicated ~~below~~ at the address indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 3-7-05

By: William C Rowland
William C. Rowland
Registration No. 30,888

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the
U.S. Patent & Trademark Office Fax No. (703) 872-9306 on

By: William C Rowland
William C. Rowland
Registration No. 30,888

Date: 3-7-05

CERTIFICATE OF SERVICE

It is hereby certified by the undersigned that a true copy of the foregoing Letter was mailed, first-class, postage prepaid, to:

Thomas P. Pavelko, Esq.
Stevens, Davis, Miller & Mosher, LLP
1615 L Street, NW
Washington, D.C. 20036
Attorney for Third-Party Requestor

Attorneys for Patentee, this *March 7, 2005*

William C. Rowland
William C. Rowland

CASES INVOLVING VALINCE PATENTS as of February 6, 2005

Case No./ Court Filing Date	Judge	Plaintiff	Defendants	US Patent	Counterclaim	Status
04-C-8203 Filed: 12/20/2004	Gettleman	Alice, Inc. Berry Finance N.V. Valinge Aluminium AB	Kronex USA, Inc.	5,516,579		- Trial Date in July of 2005
04-CV-3347 (N.D. Ill.) Filed: 08/12/2004	Castillo	Alice, Inc. Berry Finance N.V. Valinge Innovation AB	Westcott Hindmarsh Distributors Co. (undisclosed by Quality Craft)	5,516,579		- Consent Judgment Entered January 19, 2005 - Defendant admitted infringement, and acknowledged the validity and enforceability of the '379 patent
03-CV-4419 (S.D.N.Y.) Filed: 06/18/2003	Wood	Alice, Inc. Berry Finance N.V. Valinge Aluminium AB	Norman D. Ulfen Co. Baba U.S. Inc. Bakero N.V.	6,023,907 3,516,579		- No Set Scheduling Order - Fact discovery originally to be completed by 3/15/04 - Informally extended. - Original Trial Date of 10/4/04 informally vacated
03-CV-4053 (D. Del.) Filed: 03/05/03	Sieck	Alice, Inc. Berry Finance N.V. Valinge Aluminium AB	Unilin Dekor N.V. Quick-Step Flooring, Inc.	5,516,579	Unilin filed a counterclaim for declaratory judgment of non-infringement of the '379 patent	- 7/11/03 - Sieck granted Unilin's motion pending Fed. Cir. decision and re-examination of '621; also dismiss w/o prejudice plaintiff's motion to strike portions of the answer and complaint - 10/9/03 - Unilin provided status as the Fed. Cir. Decision and petition for rehearing
02-CV-1265 03-CV-342 04-C-121 (E.D. Wisc.) Filed: 12/30/2002	Randa	Valinge Aluminium AB, Alice, Inc., Norste Stog Flooring (USA) Inc., Berry Finance N.V., Berry Coordination Center NV, Berry USA Armstrong World Ind. (as Counterclaim Del.)	Unilin Behar BV, Unilin Dekor N.V., BHK of America	Decl. Judgment: 5,706,621 3,860,267 6,023,907 Unilin Patents: 6,006,486 6,490,336	Unilin filed a counterclaim under its two patents, and including Armstrong	- Consolidated cases (Valinge and Unilin patents) - Motion to re-align parties pending - Motion to dismiss Armstrong pending - Discovery due by 7/29/2005. - Expert witness lists due 8/26/2005. - Dispositive motions due by 10/15/2005. - Pretrial conf call set for 12/9/2005 10:00 AM. - Jury Trial set for 1/16/2006
01-C-0486 (E.D. Wisc.) Filed: 03/15/2001	Randa	Alice, Inc. Berry Finance, N.V. Valinge Aluminium AB	Shaw Industries, Inc.	6,023,907 6,182,410		- 6-24-04 - Motion to add '379 patent denied without prejudice - Case has no set schedule
01-C-0216 (E.D. Wisc.) Filed: 03/07/2001	Randa	Alice, Inc. Berry Finance, N.V. Valinge Aluminium AB	Columbia Forest Products, Inc.	5,860,267 6,023,907 6,182,410		- 6-24-04 - Motion to add '379 patent denied without prejudice - Case has no set schedule
01-C-1377 (E.D. Wisc.) Filed: 10/25/2000	Randa	Alice, Inc. Berry Finance, N.V. Valinge Aluminium AB	Tarkett, Inc.	5,860,267 6,023,907	Counterclaim filed for declaratory judgment of non-infringement and for antitrust violation	- Stay Lifted June 24, 2004 - Claim Construction process under way
00-CV-0999 (E.D. Wisc.) Filed: 07/14/2000	Randa	Alice, Inc. Berry Finance, N.V. Valinge Aluminium AB	Unilin Dekor N.V., BHK of America, Inc., Pergo, Inc.	5,860,267 6,023,907 and 5,516,579		- Stay lifted June 24, 2004 - Motion to Re-align parties pending - Motion to file 2nd Amended Complaint to add '379 patent against Pergo and BHK (bore not Unilin) Granted 9-23-04 - Answers by Pergo and BHK filed 10-15-04

Updated on February 6, 2005